

FILED  
for Roanoke  
JUL 12 2012

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DERWIN OSBOURNE,  
Plaintiff,

v.

HAROLD CLARKE, et al.,  
Defendants.

) Civil Action No. 7:12-cv-00301  
)  
)  
)

) ORDER  
)

) By: Hon. Jackson L. Kiser  
) Senior United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that plaintiff's motion for preliminary injunctive relief is **DENIED**; the construed 42 U.S.C.

§ 1983 complaint is **DISMISSED without prejudice as frivolous**, pursuant to 28 U.S.C.

§ 1915A(b)(1); and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This 12<sup>th</sup> day of July, 2012.

*[Signature]*  
Senior United States District Judge